

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

WINSOUTH CREDIT UNION, )  
Individually and on Behalf of All ) CASE NO.: 3:14-cv-1573  
Similarly Situated, )  
Plaintiff, ) HON. WAVERLY D. CRENSHAW, JR.  
)  
vs. ) PLAINTIFF'S UNOPPOSED MOTION FOR  
MAPCO EXPRESS, INC., and DELEK ) FINAL APPROVAL OF CLASS ACTION  
US HOLDINGS, INC., ) SETTLEMENT  
)  
Defendants. )  
)

Pursuant to Fed. R. Civ. P. 23(e), Plaintiff WinSouth Credit Union (“WinSouth”), by its counsel, hereby moves this Court for entry of an Order granting final approval of class action settlement. WinSouth files this Motion on behalf of itself and, in part, on behalf of First National Community Bank (“FNCB”), the named plaintiff in *First Nat'l Comm. Bank v. Mapco Express, Inc.*, No. 4:14-cv-00031 (N.D. Ga.), who has agreed that its claims and the Class’ claims will be settled by final resolution of this action. Upon final approval of the Settlement by this Court, and as part of the Settlement, FNCB will move to voluntarily dismiss its lawsuit. FNCB will also provide notice to the Court in the Northern District of Georgia of the pendency of these settlement proceedings. WinSouth and FNCB collectively are referred to as “Plaintiffs.”

This Motion is based on the record in this case, as well as: (1) the Memorandum of Law in Support of Plaintiff’s Motion for Final Approval of Class Action Settlement; (2) the Declaration of Jeffrey D. Dahl with Respect to Settlement Notice Plan and attached exhibits; (3) the Declaration of Stephen J. Teti; and (4) the Proposed Final Judgment and Order of Dismissal with Prejudice that was filed in conjunction with Plaintiff’s motion seeking preliminary approval of the Settlement (see ECF No. 47-6), as well as any additional materials or argument that may be presented to the Court. Class Counsel have conferred with counsel for MAPCO, who does not oppose this Motion.

Dated: December 12, 2016

Respectfully submitted,

/s/ J. Gerard Stranch, IV  
J. Gerard Stranch, IV (BPR #023045)  
Benjamin A. Gastel (BPR# 028699)  
Branstetter, Stranch & Jennings, PLLC  
The Freedom Center  
223 Rosa L. Park Avenue  
Suite 200 Nashville, TN 37203  
Tel.: (615) 254-8801  
Fax: (615) 250-3937  
gerards@branstetterlaw.com  
beng@branstetterlaw.com

Joseph P. Guglielmo  
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP  
The Helmsley Building  
230 Park Avenue, 17th Floor  
New York, NY 10169  
Tel.: (212) 223-6444  
Fax: (212) 223-6334  
jguglielmo@scott-scott.com

Stephen J. Teti  
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP  
156 South Main Street  
P.O. Box 192  
Colchester, CT 06415  
Tel.: 860-537-5537  
Fax: 860-537-4432  
steti@scott-scott.com

E. Kirk Wood  
WOOD LAW FIRM, LLC  
P. O. Box 382434  
Birmingham, AL 35238-2434  
Tel.: (205) 612-0243  
Fax: (866) 747-3905  
ekirkwood1@bellsouth.net

Chris T. Hellums  
Pittman, Dutton & Hellums, P.C.  
2001 Park Place North, Suite 1100  
Birmingham, AL 35203-2716  
Tel: (205) 322-8880  
Fax: (205) 328-2711  
chrish@pittmandutton.com

*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

I, J. Gerard Stranch, IV, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: December 12, 2016

*/s/ J. Gerard Stranch, IV*  
J. Gerard Stranch, IV (BPR #023045)